C.J.'s Court

Civil Writ Petition No. 2582 (S/S) of 2001.
(Old No. 18157 of 1996)

Govind Singh Podiyal and
Others …….. Petitioner

V/s

State of U.P. and others ……..…… Respondents

……

Hon. A.A.Desai, C.J.
Hon. Irshad Hussain,J.

Sri A.K.Pande, learned counsel for the petitioners and Mrs. Beena Pande, learned S.C., Government of Uttar Pradesh, appeared.

All the four petitioners in this petition made a collective grievance that they were appointed by the General Manager of the District Industries Centre as watchmen (Chaukidars) sometime in 1993. However, by the order dated 26.4.1996 of the Development Commissioner, small and Rural Industries (Uttarakhand),Sri Nagar, Garhwal, their services were brought to an end in 1996. Learned counsel for the petitioner argued that there was no complaint. They were continuously working and their termination is contrary to the U.P. Temporary Government Servants(Termination of Service)Rules, 1975.

Heard learned counsel for the parties at length. However, it is revealed that these appointments were made in a fraudulent manner by the then General Manager and they were not according to rules. As such, the Superior authority, namely, Development Commissioner has discontinued their services. In view of the statement so made, we are not inclined to interfere with the impugned order of termination.

The petition is dismissed accordingly.

(Irshad Hussain, J.) (A.A. Desai, C.J.)

Dt. 26.9.2002
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